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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/680,747

10/07/2003

Elena Casellini

BST-10302/38

5365

25006

7590

12/04/2006

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EXAMINER

GALL, LLOYD A

ART UNIT

PAPER NUMBER

3676

DATE MAILED: 12/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/680,747

Applicant(s)

CASELLINI ET AL.

Examiner

Lloyd A. Gall

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 4/8/05, 8/29/05 and 12/27/05 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claims 1-4, 6, 8, 9 and 12-19 are objected to because of the following informalities: In claim 1, line 8 and claim 5, line 8, "is aligned remains aligned" is grammatically incorrect. In claim 1, line 8 and claim 5, line 8, "aligned" with what is being referred to. It is also noted that claims 1 and 5 do not positively claim the key or the key ring. In claim 1, line 9 and claim 5, line 9, "therethrough" is not clear as to what structure is being referred to. In claim 5, line 15, there is no antecedent basis for "the geometric shape". Appropriate correction is required.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6, 8, 9 and 12-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over the DM/059931 reference in view of Cicourel, Ridgway (498), and either Rafter or Bianchi.

In the embodiments of figs. 6.2, 6.3, 2.2 and 2.3, the DM reference teaches a key head cover having apertures in the sidewalls to register with an opening in a key head, an outer wall having ends spaced from bottom edges of the first and second sidewalls, tactile features in figs. 6.2, 2.2, 2.3 which are both on the sidewalls as well as on the bottom edges of the sidewalls and which define a rear contact plane which is secured to the sidewalls, a house icon is shown in fig. 6.3. Cicourel teaches tactile features 5 on the sidewall of a key head cover, wherein the tactile features are secured throughout

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their rear contact plane with the plane of the sidewall on which they are secured, and wherein the tactile features are formed as single material with the key head cover.

Ridgway teaches a key head cover in fig. 3 which has its aperture aligned with a key head opening only by a key ring passing therethrough. Rafter teaches that a key head cover 12 in fig. 5 which includes a house icon may be formed from metal, as set forth in column 6, line 27. Bianchi teaches that a key head covering material is well known to be thermoplastic, as set forth in column 2, line 34 and column 3, line 1. It would have been obvious to form the tactile features of the DM reference as being secured throughout their rear contact plane to the plane of the sidewalls, and as a single material with the sidewalls, in view of the teaching of Cicourel, the motivation being to optimize the strength of the connection between the tactile features and the sidewall, as well as to simplify the assembly of the key head cover. It would have been obvious to modify the key head cover of the DM reference such that it has its apertures aligned with a key head only by a key ring, in view of the teaching of Ridgway, the motivation being to simplify the sliding installation of the key head cover on a key head. It would have been obvious to form the key head cover of the DM reference as modified by Cicourel, to be formed from metal or thermoplastic, in view of the respective teaching of Rafter or Bianchi, the motivation being to optimize the strength of the cover (Rafter, metal) or to optimize the comfort in holding the key head cover (Bianchi, thermoplastic). Claims 12-19 are regarded as product-by-process claims, and do not patentably define over the modified DM reference.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over the DM reference as modified by Cicourel, Ridgway and either Rafter or Bianchi as applied to claim 6 above, and further in view of an additional teaching of the DM reference.

Fig. 3.3 of the DM reference teaches a braid embodiment. It would have been obvious to modify the shape of the indicia at the bottom edges of the fig. 2.2 embodiment of the DM reference to be a braid shape, in view of the teaching of the figure 3.3 embodiment of the DM reference, the motivation being to be able to quickly discern one key from another.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over the DM reference as modified by Cicourel, Ridgway and either Rafter or Bianchi as applied to claim 1 above, and further in view of Sheldon.

Sheldon teaches a key ring securement used to hold multiple keys, wherein the multiple keys have different identifiers 18, 18a (column 3, lines 9-11). It would have been obvious to utilize multiple keys of the DM reference as modified by Cicourel, Ridgway and either Rafter or Bianchi, with different tactile features located on the same key ring, in view of the teaching of Sheldon, the motivation being to allow an individual to carry multiple keys and distinguish the keys by their tactile features.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over the DM reference in view of Cicourel, Ridgway and either Rafter or Bianchi.

In the embodiments of figs. 6.2, 6.3, 2.2 and 2.3, the DM reference teaches a key head cover having apertures in the sidewalls to register with an opening in a key head, an outer wall having ends spaced from bottom edges of the first and second sidewalls,

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tactile features in figs. 6.2, 2.2, 2.3 which are both on the sidewalls as well as on the bottom edges of the sidewalls and which define a rear contact plane which is secured to the sidewalls, a house icon is shown in fig. 6.3. Cicourel teaches tactile features 5 on the sidewall of a key head cover, wherein the tactile features are secured throughout their rear contact plane with the plane of the sidewall on which they are secured, and wherein the tactile features are formed as single material with the key head cover.

Ridgway teaches a key head cover in fig. 3 which has its aperture aligned with a key head opening only by a key ring passing therethrough. Rafter teaches that a key head cover 12 in fig. 5 which includes a house icon may be formed from metal, as set forth in column 6, line 27. Bianchi teaches that a key head covering material is well known to be thermoplastic, as set forth in column 2, line 34 and column 3, line 1. It would have been obvious to form the tactile features of the DM reference as being secured throughout their rear contact plane to the plane of the sidewalls, and as a single material with the sidewalls, in view of the teaching of Cicourel, the motivation being to optimize the strength of the connection between the tactile features and the sidewall, as well as to simplify the assembly of the key head cover. It would have been obvious to modify the key head cover of the DM reference such that it has its apertures aligned with a key head only by a key ring, in view of the teaching of Ridgway, the motivation being to simplify the sliding installation of the key head cover on a key head. It would have been obvious to form the key head cover of the DM reference as modified by Cicourel, to be formed from metal or thermoplastic, in view of the respective teaching of Rafter or Bianchi, the motivation being to optimize the strength of the cover (Rafter,

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metal) or to optimize the comfort in holding the key head cover (Bianchi, thermoplastic). Claims 12-19 are regarded as product-by-process claims, and do not patentably define over the modified DM reference. With respect to the limitations of the last three lines of claim 5, it is noted that in the DM reference, fig. 8.2 teaches a raised geometric shape, fig. 9.3 teaches a depressed geometric shape, and figs. 2.2 and 2.3 teaches that multiple geometric shapes may be provided on the same sidewall. Accordingly, it would have been obvious to utilize a raised and a depressed geometric shape on a same sidewall of a key cover of the DM reference.

Applicant's arguments with respect to claims 1-9 and 11-19 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

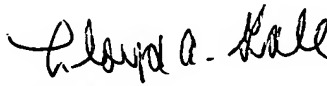
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lloyd A. Gall whose telephone number is 571-272-7056. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LG LG
November 29, 2006


Lloyd A. Gall
Primary Examiner